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9 Attorneys for Defendants

10 PIZZA HUT, INC., 30TH CENTURY MASTERS

11 LLC, THE MARTIN AGENCY, INC. and THE

INTERPUBLIC GROUP OF COMPANIES, INC.

12
13 **UNITED STATES DISTRICT COURT**

14 **CENTRAL DISTRICT OF CALIFORNIA**

15 DANIEL AUERBACH and PATRICK
16 CARNEY (collectively and professionally
17 known as "THE BLACK KEYS"); THE
18 BLACK KEYS PARTNERSHIP d/b/a
19 MCMOORE MCLESST PUBLISHING;
and BRIAN BURTON p/k/a DANGER
MOUSE individually and d/b/a SWEET
SCIENCE,

20 Plaintiffs,

21 v.

22 PIZZA HUT, INC., a Delaware corporation;
23 30TH CENTURY MASTERS LLC, a
24 Virginia limited liability company; THE
MARTIN AGENCY, INC., a Virginia
25 corporation; THE INTERPUBLIC GROUP
OF COMPANIES, INC., a Delaware
corporation; and DOES 1 - 10, inclusive,

26 Defendants.

Case No. CV12-05385 ODW (JCx)

**JOINT STIPULATION FOR
CONTINUANCE OF SCHEDULING
CONFERENCE SET FOR
NOVEMBER 26, 2012;
DECLARATION OF SEAN M.
SULLIVAN**

[Proposed Order concurrently submitted]

Assigned to the Honorable Otis D.
Wright

Scheduling Conference Date:
November 26, 2012
Time: 1:30 p.m.

Proposed Hearing Date: December 12,
2012
Time: 1:30 p.m.

STIPULATION

Plaintiffs Daniel Auerbach, Patrick Carney (collectively and professionally known as "The Black Keys"), The Black Keys Partnership d/b/a McMoore McLesst Publishing, Brian Burton p/k/a Danger Mouse d/b/a Sweet Science (collectively "Plaintiffs") and Defendants Pizza Hut, Inc., 30th Century Masters LLC, The Martin Agency, Inc. and The Interpublic Group of Companies, Inc., by and through their respective counsel of record, hereby stipulate and agree as follows:

1. By Order dated August 17, 2012, this Court set the Scheduling Conference in this Action for October 29, 2012;

2. By Order dated October 15, 2012, this Court granted the parties' request for a continuance of the Scheduling Conference in light of the parties' ongoing settlement discussions, and continued the date to November 26, 2012;

3. The parties to this action have reached a settlement agreement in principle that will result in the voluntary dismissal of this action;

4. The parties are currently in the process of documenting such settlement agreement, which will require the approval and signature of multiple parties;

5. Accordingly, the parties have agreed, subject to the Court's approval, to continue the scheduling conference currently set for November 26, 2012 until December 12, 2012 in order to avoid unnecessary expenditure of attorneys' fees on the preparation of a Joint Report and attendance at a hearing that will prove to be unnecessary in light of the agreement of the parties;

6. Good cause having been shown for the requested continuance, the parties respectfully request that the Court continue the scheduling conference to December 12, 2012 in order to allow the parties time to document their settlement agreement, and that the Court maintain this action on its active docket in the interim.

7. This is the parties' second request for a continuance of the scheduling conference.

1 8. All signatories listed below, and on whose behalf the filing is submitted,
2 concur in this filing's content and have authorized this filing.

3
4 DATED: November 9, 2012 RUSSELL J. FRACKMAN
5 CHRISTINE LEPERA
6 CHRISTINA E. DJORDJEVICH
7 **MITCHELL SILBERBERG & KNUPP LLP**

8 /s/Christina E. Djordjevich
9 CHRISTINA E. DJORDJEVICH
 Attorneys for Plaintiffs

10 DATED: November 9, 2012 MARCIA B. PAUL
11 SEAN M. SULLIVAN
12 **DAVIS WRIGHT TREMAINE LLP**

13 /s/ Sean M. Sullivan
14 SEAN M. SULLIVAN
15 Attorneys for Defendants

DECLARATION OF SEAN M. SULLIVAN

I, Sean M. Sullivan, declare:

1. I am an attorney admitted to practice before all the courts of the State of California and before this Court. I am an associate in the law firm of Davis Wright Tremaine LLP, and I am counsel for Defendants Pizza Hut, Inc., 30th Century Masters LLC, The Martin Agency, Inc. and The Interpublic Group of Companies, Inc. in this matter. The facts stated below are true of my own personal knowledge, except where indicated that they are upon information and belief, and, if called to testify, I could and would competently testify thereto.

2. By Order dated August 17, 2012, the Court set the Scheduling Conference in this matter for October 29, 2012.

3. By Order dated October 15, 2012, the Court granted the parties' stipulation requesting a continuance of the Scheduling Conference in this matter, and set the continued Scheduling Conference for November 26, 2012.

4. The parties to this action have reached a settlement agreement in principle that will result in the voluntary dismissal of this action and the parties are currently in the process of documenting such settlement agreement, which will require the approval and signature of multiple parties.

5. Accordingly, the parties have agreed, subject to the Court's approval, to continue the scheduling conference currently set for November 26, 2012 until December 12, 2012 in order to avoid unnecessary expenditure of attorneys' fees on the preparation of a Joint Report and attendance at a hearing that will prove to be unnecessary in light of the agreement of the parties.

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